



IPW

PATENT APPLICATION

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yasuo YAMAGUCHI

Group Art Unit: 2834

Application No.: 10/603,867

Examiner: T. Lam

Filed: June 26, 2003

Docket No.: 115974

For: MOTOR THAT UTILIZES THE MAGNETIC TORQUE

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

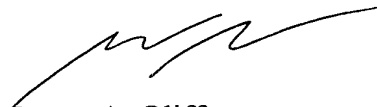
In reply to the Election of Species Requirement mailed December 23, 2004, Applicant provisionally elects Species A, Figs. 1 and 3-13. Applicant submits that claims 1-12 read on elected Species A. It is submitted at least claims 1, 2, 5, 6 and 9 are generic to all species. This election is made with traverse.

It is respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of the elected species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which is stated that "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). It is respectfully submitted that this policy should apply in the present application to avoid unnecessary delay

and expense to Applicants and duplicative examination by the U.S. Patent and Trademark Office.

In view of the foregoing, it is respectfully submitted that claims 1-15 can be examined without undue burden on the Examiner. Accordingly, it is respectfully requested that the Election of Species Requirement be withdrawn.

Respectfully submitted,



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Date: January 24, 2005

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